
DIGEST

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HB 205 Reengrossed

2017 Regular Session

Bouie

Abstract: Provides relative to the time periods for persons serving life sentences to apply for a pardon or commutation of sentence.

Present law provides that persons sentenced to life imprisonment are ineligible to apply to the Board of Pardons for a pardon or commutation of sentence for 15 years after being sentenced by the trial court.

Proposed law amends present law to provide an exception that periods of time prior to the imposition of the sentence in which the defendant was in actual custody for the offense he was sentenced to life imprisonment shall be included in computing the 15-year period.

Present law further provides that if the initial application is denied, the applicant may file a new application to the board no earlier than five years from the date of action of the board. Provides that any subsequent applications cannot be filed earlier than five years from the preceding action by the board. Proposed law retains present law.

(Amends R.S. 15:572.4(D))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Restore present law which provides that an applicant sentenced to life imprisonment is eligible to apply to the board for a pardon or commutation of sentence 15 years after being sentenced by the trial court.
2. Provide that periods of time that the defendant was in actual custody for the offense prior to imposition of sentence shall be included in computing the 15-year period.
3. Restore present law relative to the five-year time period an applicant is required to wait before filing a subsequent application after the initial application is denied.